

Minutes of the Planning Commission meeting held on Thursday, May 7, 2009, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jeff Evans, Chair  
Karen Daniels  
Kurtis Aoki  
Tim Taylor  
Ray Christensen, Community Development Planner  
Tim Tingey, Community Development Director  
G.L. Critchfield, Deputy City Attorney  
Citizens

Excused: Jim Harland, Vice-Chair  
Sheri Van Bibber  
Ray Black

The Staff Review meeting was held from 6:00 to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Department.

#### APPROVAL OF MINUTES

Karen Daniels made a motion to approve the minutes from April 2, and 16, 2009. Seconded by Tim Taylor.

A voice vote was made. The minutes were approved unanimously, 4-0.

#### CONFLICT OF INTEREST

There were no conflicts of interest noted regarding this agenda.

#### APPROVAL OF FINDINGS OF FACT

Tim Taylor made a motion to approve the Findings of Fact for a Conditional Use Permit for Gerardo Bellazetin at 168 West 4800 South, a Conditional Use Permit for Richard Pratt at 4535 South 600 East; a Conditional Use Permit for Spencer Auto at 4195 South 500 West #34; and a Conditional Use Permit for Tenderhearts Tech Pet at 150 West 4800 South #3. Seconded by Kurtis Aoki.

A voice vote was made. The Findings of Fact were approved unanimously, 4-0.

#### ELIZABETH ACADEMY – 154 East Myrtle Avenue – Project #09-26

Christopher Webb was present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval for a private school for children ages 3-5 years old. The property is located within the C-D-C zone, and the school is to be located within the Myrtle Avenue Medical Arts Building. The school will occupy 6,612 square feet of the first floor of the building with three classrooms and some office space. The applicant indicated that there will be a cap on enrollment at 60 students, and there will be 6 staff members. Parking is available to meet the requirements including ADA

regulations. The Academy plans to implement a student drop off plan in order to alleviate traffic flow problems during drop off and pick up times. The school use is compatible with the surrounding uses. Staff is recommending approval.

Christopher Webb, 655 East 400 South, Salt Lake City, stated that he has received the staff report. He understands the recommendations. Karen Daniels stated she appreciates the idea of staggering drop-off times and asked how many children will be dropped off and the time intervals. Mr. Webb responded that there will be a five minute period for each class, which is approximately 20 students, to load and unload. The school is encouraging and anticipating carpooling. Ms. Daniels asked if five minutes is enough time for the children to safely load and unload, and asked if the time will be lengthened if it is found that there is not sufficient time. Mr. Webb responded that the time will be expanded if needed. He also stated that there will be staff outside to help with the transition and not just parents and children.

Kurtis Aoki asked about the pattern of traffic circling the building and the Academy's occupation of the south side of the building. Mr. Webb stated that the school actually occupies the north end of the building. There will be some administrative offices at the south end of the building. Mr. Aoki asked about the 60 student cap and how that will work with offering full day and half day classes.

Gail Williamson, 655 East 400 South, is the founder of the school. She stated that they haven't started enrollment for the school yet, but she expects most of the students to be with a staff member during the drop off and pick up times. Tim Taylor asked if there are going to be 60 students during the morning classes. Ms. Williamson stated there will be 60 students total. There can be a maximum of 20 children in a classroom but she hopes they only have 15. The maximum number of students at any given time will be 60. There will be students with special needs, so the class sizes have to stay manageable. There will be adequate staff on hand because of the special needs students. Mr. Aoki asked if there will be a lot of use of the disabled parking spaces due to the special needs students. Ms. Williamson responded that the students attending her school are considered special needs for cognitive reasons, not physical disabilities. Mr. Aoki stated that his concern is for the safety of the children. Ms. Williamson agreed and stated that safety is a priority for the staff as well.

Jeff Evans asked Ms. Williamson if she was relying on nearby amenities, such as the park, for the children to play outside because there is not a playground shown on the plan. There is no direct access from the property to the park as Little Cottonwood Creek separates them. Mr. Evans asked if there was a plan in place to navigate the children to these amenities. Ms. Williamson responded that she had hoped to purchase some adjacent land and put a playground there but that wasn't feasible. She has spoken with the Boys and Girls Club about sharing their playground and they are agreeable to working out an arrangement.

Mr. Evans asked how the children will be getting to the Boys and Girls Club. Ms. Williamson responded that with sufficient staff there should be enough oversight to allow for safe navigation, especially with their small class sizes.

Christopher Webb stated that this is common with daycares in the downtown areas with higher student to teacher ratios. In this situation the children are only going down a

sidewalk and are staying on the same side of the street. Ms. Williamson stated that the environment in a Montessori is very controlled and the children are taught values and respect. They would not attempt this type of outing until they were comfortable that the children were ready.

Jeff Evans stated that there are obstacles with an active parking lot, drop off and pick up, and transport back and forth from the facility. He asked if the property owners might stripe a walking pathway through the parking lot so that cars in the area for business will be aware of children in the same area. Kurtis Aoki agreed. Tim Tingey stated that this type of use is allowed in this zone. The safety issues are a concern, but it seems that the school is aware of them and are considering options.

Tim Taylor stated that there are other regulations the school will have to meet on the City and State levels to ensure the safety of the students. Karen Daniels stated that having sidewalks around the property will help with the control of students.

Nick Mingo, 308 East 4500 South, was present to represent Hamlet Development, the current property owner. He stated that his company supports the project. Jeff Evans asked that as the owners of the property, if Hamlet would be willing to make special concessions to assist with a safety plan for the students. Mr. Mingo stated that they are open to suggestions. Kurtis Aoki asked that the issue be looked into for insurance purposes.

John Stromquist, 472 North Main, Salt Lake City, stated that he owns a medical practice within the building. He asked about the ages of the students and was advised that they will be from 3 to 5 years old. He stated similar concerns about playground facilities. Dr. Stromquist is a rheumatologist and his office sees approximately 40 patients per day. His patients use the handicapped parking area, which is located in the proposed drop off area. He is concerned about the traffic flow and the impact on patient parking and access. He sees patients from 9:00 in the morning until 4:30 or 5:00.

Christopher Webb stated that some options for these issues have been discussed with the property owners. One option is to mirror the handicapped parking spaces on the other side of the building. The reason they want the drop off area on the east side of the building is to avoid having children going through the main lobby of the building. Both entrances are ADA accessible. Ms. Williamson stated that the doctor's office hours were considered when determining a starting time for the school, and school would start earlier than the patients were scheduled. Jeff Evans stated that Class C starts at 8:55 and the first patient appointment is at 9:00, which is very close time wise. Ms. Williamson stated that they are willing to alter the drop off times in order to be agreeable with the tenants already in the building.

Mr. Aoki asked Mr. Mingo if he was willing to move the ADA parking spaces to the other side of the building if needed. Mr. Mingo replied that it would be reasonable if needed.

David McGowan is a dentist located in the same building. He asked about the future plans of the Academy as their website shows different phases of growth. He indicated that he heard that there has been discussion of Ms. Williamson purchasing the building

from Hamlet. He wanted to know if they plan to accommodate future growth at this site or at a different location.

Jeff Evans asked Dr. McGowan what time his patients arrive at the building. Dr. McGowan responded that there are two dentists in his office and they see patients from 7:00 a.m. to 7:00 p.m. depending on the day. He also has patients that utilize the ADA parking spots. The two dentists see approximately 30 patients a day, with the potential to increase to 40.

Mr. Aoki stated that this building had sections that were sold as condominiums. He asked Dr. McGowan to clarify the question about purchase of the building. Dr. McGowan responded that he has a lease with the option to purchase, and his concern is with the future use of the building.

Christopher Webb stated that per Code, the school cannot extend beyond the first floor. Additionally, this is viewed as a temporary location until a permanent place is found. Ms. Williamson stated that as far as expanding, Montessori spans ages 3 to 6, with elementary 1 that spans first through third grade, and elementary 2 that spans fourth through sixth grade. If one of these other classes were added, they would eliminate one of the existing 3 to 6 classes. There would still be the same number of students enrolled with a maximum of three classrooms.

John Stromquist asked if during the drop off the driver would park the car and walk the student into the building, or if the vehicle would stop at the ramp near the east door where a staff member would be present to let the student into the building. He was advised that the plan is to have the student dropped off where the staff member is present.

Tim Taylor stated that it would be difficult to have 40 students arrive within a 10 minute period and unload at the same point. This plan needs to be worked through with City staff to explore other options for traffic flow.

Tim Tingey stated that staff can work with the school on this issue, but if the Commission has safety concerns there can be some recommendations made. Tim Taylor stated that he would make a recommendation to allow some stacking of vehicles by circulating on the west side of the building, using the west access, and then turning and exiting through the east access. Mr. Webb stated that necessary changes will be made. Tim Taylor stated that he would add to Condition #6 that it is important that the options consider the queuing of vehicles.

Tim Taylor made a motion to approve a Conditional Use Permit for Elizabeth Academy, located at 154 East Myrtle Avenue, subject to the amended conditions:

1. The project shall meet all current fire codes.
2. Meet all Murray City and Utah State regulations including licensing for schools.
3. Any new trash containers shall be screened as required by Section 17.76.170.

4. The school floor plans be revised and submitted with the building permit to show the floor plan is consistent with the condominium plat.
5. The project shall meet all applicable building code standards. In order to use the main floor of the building for education the design professional will need to provide a 1 hour fire separation between the main floor used for education and the upper floor, or consider reclassifying the building as 11-B building which is non-combustible. This could be problematic if combustible materials were used in the construction of the existing tenant improvements. Group E occupancies also have additional requirements for egress to ensure young children are able to egress the building in a safe manner in an emergency situation. Stamped and sealed architectural, mechanical, plumbing and electrical plans by appropriate design professionals for review to meet requirements for a group E occupancy are also required.
6. The applicant will need to provide a plan, with application for building permit, to alleviate traffic flow during drop off and pick up time. The school staff agreed to coordinate this effort using temporary queuing of both students and parents. The vehicles will use the west drive access at the west side of the building then circulate around and exit using the central drive access.

Seconded by Karen Daniels.

Call vote recorded by Ray Christensen.

A Tim Taylor  
A Jeff Evans  
A Karen Daniels  
A Kurtis Aoki

Motion passed, 4-0.

TRANSPORTATION MASTER PLAN – Murray Fireclay Transportation Master Plan Modification

Tim Tingey, Director of Community & Economic Development, presented the proposal for this transportation proposal. He indicated that in 2007 the City Council passed a resolution adopting the Fireclay Redevelopment Project Area, Street Network, Circulation Plan, and Street Design Cross Sections. At that time it was all part of the transit oriented development design guidelines. The Fireclay area is a TOD area and at that time and prior to that time, there was a lot of discussion on this issue and on the vision of this area. The vision focused on a dense pedestrian scale neighborhood with regular and predictable streets and connection of that neighborhood through these streets. This would help shape the type and form of development to be more of a walkable pedestrian oriented area. This transportation master plan was adopted as having the grid network. In this area, designated as future streets, the RDA has a lot of input because it is a redevelopment area and they work with developers in the area. Currently Realticorp Development is looking at a proposal in this area and own, or are securing the property, and have concerns about the street because it runs through their

property and they would have approximately 50 feet on the southern end. The focus of this area is to keep the predictable pattern and connection of the streets, and they are proposing to have a slight modification to curve to run along the back portion of their property line. Based upon the information in the staff report, staff is recommending approval of this proposal and feel it will maintain the vision, connectivity and still allow for the walkable area. The Commission is asked to give a recommendation to the city council for this proposal.

Karen Daniels asked if the proposed street should be continued. Mr. Tingey responded the plans given to the commission do not indicate that the road will continue up and the plans submitted show only the portion of property owned by Realticorp Development.

Tim Taylor stated the proposal extends into the UTA Park & Ride lot which is existing and the driveway is on the southern portion. He asked if the existing driveway is in line with Edison Avenue. Mr. Tingey responded that it will need to be in line with Edison Avenue.

Kurtis Aoki asked why there is only one main artery in the middle but yet at the far south corner there is no need to have any artery going southwest and it doesn't need an artery along the Trax down to the corner. Mr. Tingey responded that when the transportation master plan was developed it did not have that pattern included and it might be looked at in the future but does not circulate as it currently exists. He stated the RDA has had discussions since the original adoption on the potential of that changing.

No comments were made by the public.

Tim Taylor made a motion that a positive recommendation be forwarded to the City Council relating to the proposed Fireclay Transportation Master Plan based on the staff conclusions and that it ensure that Edison Street lines up on the west side of the UTA driveway (so that it is not an off-set intersection). Seconded by Karen Daniels.

Call vote recorded by Ray Christensen.

A Mr. Aoki

A Mr. Taylor

A Mr. Evans

A Ms. Daniels

Motion passed, 4-0.

#### TAYLORSVILLE & MURRAY TRANSPORTATION ALTERNATIVE ANALYSIS STUDY PLAN

Tim Tingey stated that Murray City has participated in both committee work and funding of the Taylorsville Murray Transportation Alternative Analysis Study. The focus of the study was to look at transportation opportunities running east and west between the two cities.

Robin Hutcheson of Fehr & Peers, 2180 South 1300 East, Salt Lake City, is a transportation planner. This study was sponsored by UTA, the Wasatch Front Regional Council, Taylorsville City, Murray City and Salt Lake County. There was extensive stakeholder involvement and public input. Ms. Hutcheson is present to represent the steering committee and stated that the study should soon be completed.

Ms. Hutchison explained that the first step of the study was to establish community wide goals for transit in the entire study area. The goals are timely and comprehensive, and they outline how the community wants to accomplish their vision with transit. A basic alternatives analysis process used three levels of screening. Over the course of time more detailed criteria was applied to arrive at a single mode of transportation and a single alignment of study. The mode list was composed of light rail, bus rapid transit, street car and bus. After the first two screening levels, based on technical information as well as a field tour, the committee decided that bus rapid transit was the best alternative and the most cost effective option. BRT provides many of the amenities of light rail at a much lower cost. The buses are sleek, called low floor buses, and are very quickly entered and exited with no stairs to climb. Boarding is quicker with off-board fare collections. A BRT 1, which is in West Valley City, doesn't have its own lane of travel. The vision for this particular corridor is BRT 3, which is the highest level of transit with an exclusive lane of travel. It provides the most separation from traffic and is the fastest.

Ms. Hutcheson stated that the alignments were narrowed down to three primary alignments that deserved further study. The first alternative began at 3900 South TRAX station and traveled down 500 West to 4700 South. The second alternative began at Fireclay, but there were some flaws with this alignment due to having an exclusive lane through a single point urban interchange, as well as two railroad bridges. The costs for this alignment would have been prohibitive. The third alignment, which is the locally preferred alternative, has a trunk line that travels between Intermountain Medical Center onto Vine Street, then to Murray Boulevard, then left onto 4700 South. An extension from this alignment can be pulled into the center of Murray to support the redevelopment plans and mixed use district. This alignment will loop through the Salt Lake Community College campus before heading east towards Murray using 4700 South. Along Murray Boulevard, there is some on-street parking that would have to be removed if it is determined that BRT will use that street. On Vine Street, there will be an important connection with commuter rail and light rail. BRT will turn around somewhere in the center of Murray. The total route is 3 ½ to 4 miles, and ridership is projected between 3300 and 4300. Ms. Hutcheson anticipates that the ridership numbers will rise. Travel time end to end is 10 to 13 minutes with 7 stations. The preliminary cost estimate is \$52.4 million, which doesn't reflect the recently added station and doesn't include right of way costs.

At the end of the alternatives analysis, there needs to be a mode, alignment, and a general envelope for construction to determine how much space is needed. There are always outstanding issues that need to be worked out as the study continues. The next stage is an environmental study to address access to Salt Lake Community College, integration at commuter and light rail stations, integration of the end center within Murray City with a bus turnaround, and lastly the intersection of Murray Boulevard and 4800 South.

Each City has received a draft implementation plan with suggestions of ways to welcome BRT. As development density and intensity begin to build, there will be more traffic generated. It is important to plan ahead by developing exclusive lanes for BRT. Ms. Hutcheson recommended looking for ways to improve the pedestrian environment to access transit, and to consider options on Murray Boulevard to accommodate BRT.

Kurtis Aoki asked if there are any conflicts with UTA because of the current route between Salt Lake Community College and a TRAX station. Ms. Hutcheson confirmed that this would replace a local bus route but that it shouldn't cause a conflict with UTA. BRT is part of UTA, and they were a significant sponsor of this study. The BRT would be operated and owned by UTA.

It was estimated that the BRT route would cost roughly \$12 million per mile. Mr. Aoki asked if there was any documentation that proves this to be a good investment. Ms. Hutcheson responded that there will be a cost benefit analysis included in the upcoming report, and the question of who pays is always a major question at the conclusion of each study. There are a few funding options, including a Federal Transit Administration New Starts Program which provides a 50/50 match, although it is highly competitive. There is a 5308, which is similar to the FTA program but is geared more toward operation and maintenance. There is also CMAC funding, which is run through Wasatch Regional Council. There must be persistence in obtaining federal funds.

Tim Taylor asked how this project compared as a priority for UTA versus other areas, such as Provo. Ms. Hutcheson stated that she cannot speak on behalf of UTA and isn't certain of which projects take priority. Mr. Taylor asked about the construction time frame if federal funding was obtained. Ms. Hutcheson responded that the best case scenario would be about 1 ½ years of environmental processes which would lead into preliminary engineering, which is another 9 months to a year. To have the whole project completed is about 5 years if all goes as planned.

Mr. Aoki asked about the current volume of bus ridership from TRAX to Salt Lake Community College. Ms. Hutcheson responded that some of that information will be contained in the report. Jeff Evans stated that there seems to be other routes that would have higher ridership than between downtown Murray and Salt Lake Community College. Ms. Hutcheson stated that the high demand area is between the commuter rail and light rail station and Salt Lake Community College. Everyone on the steering committee has agreed that there needs to be additional study on what will happen on the east side and future connections.

Robin Hutcheson asked if the Commission would see BRT as beneficial to Murray. Kurtis Aoki stated that he does think it would be a benefit, especially the connection to Salt Lake Community College. Jeff Evans stated that adding this dynamic to Murray is very important and that it could be extended even further. Tim Taylor asked if there was a comparison between regular bus ridership and BRT. Ms. Hutcheson responded that there was a test on this issue, and the net increase of new riders is 600. Mr. Aoki asked how the test was performed. Ms. Hutcheson stated that they use the Wasatch Front Regional Council travel demand model, which helps give estimates based on where people live and work.



MURRAY CITY HOUSING STUDY RECOMMENDATION FOR APPROVAL

Tim Tingey stated that this item has gone to the City Council for input. He anticipates taking it before them again next month for final approval. Staff is requesting a positive recommendation from the Planning Commission. The focus of the study was to address requirements of Utah State Code and to help Murray City understand housing issues and set forth priorities and goals to address housing issues in the community. Staff wants to implement elements of the study with the goals of increasing home ownership opportunities, improve housing quality, address rental needs, and public education. Staff has also identified elements that address the City's requirements under Utah State Code.

Tim Taylor stated that he has read through the housing study and there has been some discussion among the Commission members. He thinks this is a good thing for Murray. Kurtis Aoki asked if the City Council had any concerns about the housing study that needed to be addressed. Tim Tingey responded that they didn't have any concerns, that they were very supportive of addressing the housing issues within the community. The recommendation to work towards developing a non-profit housing organization for Murray City received a positive response from the City Council. Mr. Taylor stated that he agrees with the study and the goals and objectives, but isn't sure about the specifics related to how these will be implemented. As it moves forward and implementation begins, Mr. Taylor would like the opportunity to address specific issues as they arise.

Karen Daniels made a motion to send a positive recommendation of the Murray City Housing Market Study to City Council. Seconded by Tim Taylor.

Call vote recorded by Ray Christensen.

A Mr. Taylor

A Mr. Evans

A Ms. Daniels

A Mr. Aoki

Motion passed, 4-0.

Meeting adjourned.

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Tim Tingey  
Director of Community & Economic Development